IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4228 OF 2004
IN
CRIMINAL APPEAL NO. 1214 OF 2003

The State of Maharashtra. .. Applicant

Vs

Kiran Ananta Kale & Ors. .. Respondents

Ms. P.H. Kantharia, APP, for the applicant.

Mr. T.E. Mane, Advocate for respondent Nos.1 to 4 absent.

CORAM: S.B. MHASE &
ANOOP V. MOHTA, JJ.

DATED: 09TH DECEMBER, 2004

P.C.:

1. The respondent Nos.1 to 4 are served.

2. This is an application for condonation of delay of 65 days in filing the Appeal against acquittal. This matter has been listed today for providing address of respondent Nos.5 and 6. This matter is pending since more than one year. We do not find it appropriate to keep the application pending for service on respondent Nos.5 and 6, even though they have a right to oppose. Keeping their right open, we are inclined to condone the

delay because we find that the delay has been properly explained.

3. The Criminal Application is allowed.. The delay is condoned, subject to the objection of respondent Nos.5 and 6, if they desire to take an objection after admission of the Appeal.

4. Office is directed to list up the matter for admission.

[ANOOP V. MOHTA, J.] **[S.B. MHASE, J.]**

[srpasha@hc]